

Reference No.: B066159

Mailing No.: 335679

Mailing Date: May 18, 2010

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**NOTICE OF REASONS FOR REJECTION**  
(TRANSLATION)

Patent Application Number: 2006-540181

Drafting Date: May 13, 2010

Patent Office Examiner: N. Nakao

Attorney for Patent Applicant: Atsushi Aoki et al.

Applicable Provisions: Article 29, the body;  
Article 29, paragraph 2; and  
Article 36;

It is deemed that this application should be rejected for the reasons given below. Any argument should be submitted in writing within three months from the mailing date of this notice.

REASONS

[Reason 1]

The invention described in the claims, indicated in the remarks below, of this application, does not satisfy the requirements prescribed in Article 29, the body of the Patent Law, on the points indicated in the remarks below, and therefore is unpatentable.

REMARKS

The invention according to claim 20 relates to "a method for a non-touch application of an adhesive article

to a surface", but the method includes the above method of performing a procedure such as physical therapy on a human being for the mitigation, the control, the prevention, etc., of a disease, and corresponds to "a method for treating a human being", thus, the aforementioned invention does not correspond to an "industrially applicable invention".

Conversely, even if the aforementioned method is performed by a person, the method is only utilized individually, and is not commercially utilized, thus, the aforementioned invention does not correspond to an "industrially applicable invention".

(refer to the explanation for 2.1 "Examination Guidelines for Patent and Utility Model" Part II, Requirements for Patentability, Chapter 1 "Industrially Applicable Invention".)

As stated above, the invention according to the claim 20 does not correspond to an industrially applicable invention as prescribed in the body of Article 29, Paragraph 1 of the Patent Law, and accordingly, examination for the patentability requirements other than those prescribed in the body of Article 29, Paragraph 1 of the Patent Law was not carried out for the invention according to claim 20.

[Reason 2]

The invention described in the claims, indicated in the remarks below, of this application is one which could easily have been made, prior to the filing of the present application, by a person with ordinary skill in the art to which the invention pertains, on the basis of the invention

described in the publications cited in the remarks below, distributed domestically or abroad, or made available to the public through electric telecommunication lines, prior to the filing of the present application, and therefore is unpatentable under the provisions of Article 29, paragraph 2 of the Patent Law.

REMARKS (See the List of Cited References for the numbers of the cited references, etc.)

- Claims 1 to 19
- References 1 and 2
- Remarks

Reference 1 (specifically, pages 2 to 4 and the drawings), Reference 2 (columns 7 and 8, and the drawings), and Reference 3 (paragraphs [0017] to [0045] and FIGS. 1 to 15) describe that an adhesive article is contained in a package and a tab member which can be used as a grip is provided.

There is no remarkable difficulty in making the inventions as described in claims 1 to 19 of the present application based on the aforementioned References 1 to 3.

[Reason 3]

The claim statement is deemed defective on the points indicated in the remarks below, and therefore this application does not satisfy the requirements prescribed in Article 36, paragraph 6, item 2 of the Patent Law.

#### REMARKS

(1) From the description of "a tab member which is formed

from a part of the top layer" of claim 1 and the description of claim 14, it is understood that a part of the top layer constitutes the tab member. However, from the description of "a second portion of said tab member forming a layer situated on the top layer" of claim 1 and the descriptions of claims 3, 4, and 15 to 19, it is understood that the tab member is a separate element, and is not a portion of the top layer, thus, the descriptions of the aforementioned claims are unclear.

(2) Regarding the terms "optionally" in claim 9, and "suitably" in claim 13, whether or not the features described after the above terms are indispensable specific features of the invention in the claims is unclear, and accordingly, the claims are unclear. Thus, the above terms are not suitable as the phrases used in the claims.

(3) Claim 12 recites "A layered product according to any of claims 11", but the Japanese expression corresponding to "to any of claims 11" is incorrect.

#### List of Cited References

1. Great Britain Patent Publication No. 904632
2. United States Patent Publication No. 5840052
3. Japanese Unexamined Patent Publication (Kokai) No. 2003-052740

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#### Record of Results of Prior Art Search

• Technical Field as Examined IPC A61F 13/02

This Record of Results of Prior Art Search does not constitute a reason for rejection.

If you have any questions regarding the content of this Reasons for Rejection, or if you wish to arrange an interview in relation to this case, please contact Ms. N. Nakao, in the 2nd Examination Dept., Textile Processing and Packaging Machinery Div.

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